

**BOULT
CUMMINGS
CONNERS
& BERRY_{PLC}**

LAW OFFICES
414 UNION STREET, SUITE 1600
POST OFFICE BOX 198062
NASHVILLE, TENNESSEE 37219

HENRY WALKER
(615) 252-2363
Fax: (615) 252-6363
Email: hwalker@bccb.com

REC'D TN
REGULATORY AUTH.

'99 APR 14 AM 11 50

TELEPHONE (615) 244-2582
OFFICE OF FACSIMILE (615) 252-2380
EXECUTIVE SECRETARY
INTERNET WEB SITE: www.bccb.com/

April 14, 1999

K. David Waddell
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37243-0505

In Re: BellSouth Telecommunications, Inc.'s Entry into Long Distance Interlata Service
in Tennessee Pursuant to Section 271 of the Telecommunications Act of 1996
Docket No. 97-00309

Dear David:

Enclosed please find the original plus thirteen (13) copies of Nextlink Tennessee, Inc.'s Response to BellSouth's Notice of Voluntary Dismissal Without Prejudice and Withdrawal of Advance Notice Section 271 Filing in the above-referenced docket.

Copies have been served on all parties of record.

Very truly yours,

BOULT, CUMMINGS, CONNERS & BERRY, PLC

By:


Henry Walker

BEFORE THE TENNESSEE REGULATORY AUTHORITY
Nashville, Tennessee

**IN RE: BellSouth's Entry Into Long Distance (InterLATA) Service in Tennessee Pursuant
 to Section 271 of the Telecommunications Act of 1996
 Docket No. 97-00309**

**RESPONSE OF NEXTLINK TENNESSEE, INC. TO BELL SOUTH
TELECOMMUNICATIONS, INC.'S NOTICE OF VOLUNTARY DISMISSAL WITHOUT
PREJUDICE AND WITHDRAWAL OF ADVANCE NOTICE OF SECTION 271 FILING**

NEXTLINK Tennessee, Inc. ("NEXTLINK"), does not oppose the request of BellSouth Telecommunications, Inc. ("BellSouth") to withdraw the advance notice of its intention to file an application for authority to provide interLATA service in Tennessee with the Federal Communications Commission ("FCC"). Nor does NEXTLINK oppose BellSouth's voluntary dismissal of its Statement of Generally Applicable Terms and Conditions ("SGAT") filed in the above-captioned proceeding, so long as BellSouth represents that it shall not use such dismissal to disadvantage any competitive provider in Tennessee with regard to BellSouth's provision of interconnection and related services to those competitive providers.

NEXTLINK and other parties to this proceeding have maintained that BellSouth's January 1998 filing of its intent to file its 271 application with the FCC was premature. Now, BellSouth apparently agrees, and concedes that its January, 1998 filing did not comply with the Tennessee Regulatory Authority's ("TRA" or "the Authority") requirement that BellSouth "file with the Authority a copy of its proposed Section 271 application to the FCC as well as all supporting documentation so that the TRA would have available to it the same or substantially the same information as the FCC." BellSouth attempts to explain that "events have overtaken the process" and implies that those unnamed "events" prevented BellSouth from presenting the Authority with the complete filing that BellSouth would make to the FCC "if that filing were to be made today, or any time in the near future."

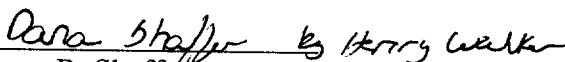
NEXTLINK is not aware of any "events" that have overtaken this proceeding. NEXTLINK's position, as has been its position throughout this proceeding, is that BellSouth itself knew that its filing was premature and, therefore, incomplete at the time it was filed. BellSouth's insistence on proceeding with this matter last year seems to have been based on something other than a good faith belief that BellSouth actually met the requirements of Section 271.

In order to prevent repeated premature filings by BellSouth, NEXTLINK suggests that the TRA direct that BellSouth:

1. file a complete copy of its 271 application, and all supporting evidence, at least ninety days before the company intends to file the application with the FCC,
2. submit an affidavit from a responsible company official that BellSouth believes that its application, at the time of filing, meets the requirements of 271 and the rules of the FCC interpreting those requirements, and
3. withdraw its application when and if BellSouth determines that it intends to amend the application before filing it with the FCC.

These proposed changes in the TRA's procedural rules would ensure that the TRA receives complete information on which to base its recommendation to the FCC and would prevent unnecessary expenditure of time and resources by the TRA and the parties in reviewing a premature application.

Respectfully submitted,


Dana R. Shaffer
Vice President
Legal and Regulatory Affairs
NEXTLINK Tennessee, Inc.
105 Molloy Street, Suite 300
Nashville, TN 37201

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing has been hand delivered or mailed to the following persons on this the 14th day of April, 1999:

Guy M. Hicks
BellSouth Telecommunications, Inc.
333 Commerce Street, Suite 2101
Nashville, TN 37201-3300

H. LaDon Baltimore, Esq.
Farrar & Bates
211 Seventh Ave. No., #320
Nashville, TN 37219-1823

James P. Lamoureux
AT&T
1200 Peachtree Street, NE, #4068
Atlanta, GA 30367

L. Vincent Williams, Esq.
Consumer Advocate Division
426 5th Avenue, N., 2nd Floor
Nashville, TN 37243

Stephen T. Brown
Intermedia Communications
3625 Queen Palm Drive
Tampa, FL 33619

Carolyn Tatum Roddy, Esq.
Sprint Communications
3100 Cumberland Circle, N0802
Atlanta, GA 30339

Guilford Thornton, Esq.
Stokes & Bartholomew
424 Church Street
Nashville, TN 37219

D. Billye Sanders, Esq.
Waller, Lansden, Dortch & Davis
511 Union Street, #2100
Nashville, TN 37219-1750

Jon Hastings, Esq.
Boult, Cummings, Conners & Berry PLC
414 Union Street, Suite 1600
Nashville, TN 37219

Enrico C. Soriano
Kelley, Drye & Warren
1200 19th St., NW, #500
Washington, D.C. 20036

Andrew O. Isar, Esq.
Telecommunications Resellers Association
4312 92nd Ave., NW
Gig Harbor, WA 98335

Donald L. Scholes
Branstetter, Kilgore, et al.
227 Second Avenue North
Nashville, TN 37219

Charles B. Welch
Farris, Mathews, et al.
511 Union Street, #2400
Nashville, TN 37219


Henry Walker